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Message Text

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43
ACTION EB-07

INFO OCT-01 NEA-10 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 SAL-01 CG-00 DLOS-04 OES-06 L-03

PA-01 PRS-01 USIA-06 /048 W
---------- 106335
P 301300Z APR 76
FM AMCONSUL ALEXANDRIA
TO SECSTATE WASHDC PRIORITY 0171
INFO AMEMBASSY CAIRO PRIORITY

LIMITED OFFICIAL USE ALEXANDRIA 0284

E.O. 11652: N/A
TAGS: EWWT, EG
SUBJECT: ALEXSHIP/MARTRANS DISPUTE

REF: ALEXANDRIA 0282 AND 0283

1. LAST MINUTE CANCELLATION OF SOCIAL AFFAIR, SCHEDULED FOR APRIL 29, WHICH WOULD HAVE INVOLVED NUMBER OF SHIPPING INDUSTRY PEOPLE, APRIL 30 MOSLEM SABBATH AND LONG MAY DAY WEEKEND HAVE LIMITED INTENDED FOLLOW-UP TO REFTELS. HOWEVER, WE DO HAVE SOME THOUGHTS ON SO-CALLED "INJUNCTIONS" AGAINST ALEXSHIP WHICH WE WILL PASS ON IN INTERIM.

2. WORDING OF "OPERATIVE PARAGRAPHS" OF MARTRANS PUBLIC STATEMENT (ALEX 0282) IS INTERESTING. ONLY GOVERNMENTAL ORGANIZATIONS ARE ENJOINED TO "DEAL WITH ALEXSHIP THROUGH MARTRANS." SO SPECIFICALLY WORDED, IT WOULD SEEM PRIVATE SECTOR AND FOREIGN COMPANIES CAN CONTINUE DEAL DIRECTLY WITH ALEXSHIP.

3. LAST PARAGRAPH, DENYING ALEXSHIP "PRIORITY OR PRIVILEGE" OVER MARTRANS FOR BOOKINGS WAS AN ODDITY OF AUGUST 1975 LOWER COURT DECISION WE HAD FLAGGED EARLIER AS DUBIOUS.

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4. ALL IN ALL, PRESENT STATE OF DISPUTE DOES NOT SEEM TO PUT

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ALEXSHIP VIRTUALLY OUT OF BUSINESS, AS SOME OF MANAGING DIRECTOR MAHMOUD ISMAIL'S GLOATING ENEMIES ARE PREDICTING, BUT MERELY CLIPS HIS WINGS ON RAIDING EXISTING MARTRANS MONOPOLY IN GOE TRADE AND HIS NEVER QUITE BELIEVABLE PRETENTIONS OF HAVING PRIORITY OVER MARTRANS FOR BOOKINGS. IT CERTAINLY WOULD NOT SEEM TO LIMIT AMERICAN EXPORT LINES OR OTHER FOREIGN SHIPPERS FROM CHOOSING TO USE ALEXSHIP SERVICES.

5. PROTECTING BASIC RIGHT OF GOVERNMENT TO USE ITS OWN AGENCIES FOR ITS OWN TRADE, HIGHER ADMINISTRATIVE COURT'S "SUSPENDING" OF LOWER COURT DECISIONS SEEMS PRIMARILY TO PUT ALEXSHIP ON NOTICE THAT THE "OPEN DOOR" OF FREE ENTERPRISE IS ONLY AN ENTRY TO THE EXPANDING PRIVATE SECTOR MARKET PLACE, NOT A SIDE DOOR TO SHARING PUBLIC SECTOR TRADE. IT DOES NOT SEEM TO ABROGATE DECREE FOUNDING COMPANY OR RIGHT OF PRIVATE SECTOR NOT RPT NOT TO DEAL WITH MARTRANS.

6. WE'LL TRY THIS OUT ON INDUSTRY AND LEGAL CONTACTS OVER THE NEXT FEW DAYS. NOTE: WE DID NOT HAVE MARTRANS STATEMENT WHEN TALKING WITH SOURCE AND DRAFTING ALEX 0283.
CHASE

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